

From Lloyd Fryer, KCWA  
Received 7/02/04

**From:** Fryer, Lloyd  
**Sent:** Friday, July 02, 2004 8:32 AM  
**To:** Guivetchi, Kamyar; Dabbs, Paul  
**Cc:** Walthall, Brent  
**Subject:** Comments on June, 2004 Water Plan

Kamyar,

Below are a few comments on the Water Plan. These comments are different than those submitted by the agricultural caucus. I agree with the caucus' comments and offer these in addition.

I hope you find these comments useful. If you have any questions, feel free to contact me.

Best regards,

Lloyd

Universal comment

"Groundwater" and "ground water" are used interchangeably. DWR should pick one and use it consistently throughout the documents.

Volume 1

Page 6

Recommended action 4 states, "California's water finance plan must also recognize the critical role of local public and private funding based on the principle of beneficiary pays and user fees." This recommendation is clumsy for many reasons. Is it the state or locals that need to recognize the principle of beneficiary pays and user fees? Just what is the "principle" of "user fees"? Since local public and private funding almost always involves user fees and beneficiaries for cost recovery, what is the point of the above statement? Considering the current controversies regarding CALFED user fees, does the above statement suggest DWR has taken sides in the controversy?

Page 7

Recommended action 6 continues to suggest a cabinet-level strategic water team to strengthen coordination among State agencies responsible for water. The Agency wishes to again register our opposition to this recommended action. It is not at all clear that having a strategic water team to ensure that the activities of state agencies are consistent with the Governor's water initiatives and state policy will work out. It is possible the strategic water team could become another layer of government separating state agencies from the people they serve. If the Governor feels he needs advice on water or the workings of state agencies, there is sufficient existing authorities for the Governor to create a team or teams to address such items. It appears to this reader that establishment of a cabinet-level strategic water team is unnecessary for the above reason, and also could be established in such a way that the Governor's discretion is limited. The Agency again suggests that this recommendation be deleted.

Chapter 1

Page 1

The overview the water use provided on page one is insufficient. What it seems to be missing is a description of the fact that the consumptive uses of agriculture and urban uses is what has driven water development in the state of California. Had it not been for the needs of urban populations there would not have been the level of water development that we've seen up to now. The state's current status with respect to water use and California's well being is really related to how the state can continue to provide adequate water supplies for consumptive uses while also meetings

its environmental needs. It is not appropriate to describe ecosystem needs as impaired without also considering the fact that water supply reliability for consumptive uses is also impaired.

#### Page 3

On page three, the very first bullet under purpose of the Water Plan suggests that the Water Plan will ensure adequate, reliable, secure, affordable and sustainable water of suitable quality for all beneficial uses to the year 2030. Under the regional reports, the statewide report on Table 1-1 shows a deficit of 14.4 million acre feet in the year 2001, a dry year. It is not entirely clear that the Water Plan will generate sufficient water in a dry year to provide for all beneficial uses.

#### Page 5

On page five, the very first key theme needs to be rewritten slightly. It currently suggests that the adjectives "reliable, high quality, sustainable, durable and affordable" only relates to surface or groundwater storage. In fact, water conservation and efficient water management must also be reliable, high quality and sustainable in order to be successful.

#### Chapter 5

##### Page 4

On page four, recommended action two mentions development of a model ordinance by 2006 for groundwater management planning. It is unlikely that stakeholder groups are going to agree by 2006 on a model ordinance for groundwater management. This portion of the recommendation should be deleted, since the need for ordinances requiring groundwater management is not apparent.

##### Page 9

The very first performance measure shown on page nine should be modified to reference the California Bay-Delta Authority's ten year financing plan. Part of the Bay-Delta Authority's present plan for meeting its financing needs is embodied in budget bill trailer language requiring a user fee. This is very controversial and clearly is not the intent of the first performance measure.

#### Volume 2

##### Agricultural Water Use Efficiency

In paragraph four on page one, reference to the agricultural water management council should indicate that the council unites, through an MOU, agricultural water suppliers and also some environmental organizations.

##### Ecosystem Restoration

Paragraph two mentions the fact that California's ecosystems cannot be restored to pre gold rush conditions. This portion of the sanctions should be deleted. The sentence should be modified to read, "California's ecosystems cannot be restored to the natural state, nor is it desirable to attempt to do so." One of the primary purposes for water development in California has been to store water when the natural hydrograph provides it to so that it is available for consumptive uses when the natural hydrograph is insufficient. A natural stream hydrograph generally is insufficient to support urban and agricultural consumptive uses without storage. This is an extremely important factor regarding why we should not attempt to restore most of California's aquatic ecosystems to natural hydrographs.

##### Recharge Area Protection

Several significant recharge sites are missing from the table, "Recharge Sites in California." The following sites should be added.

North Kern WSD	Off-stream
Pioneer (KCWA)	In-stream, off-stream
Semitropic WSD	Off-stream

Volume 3

Tulare Lake Hydrologic Region

At the top of page 10, the following sentence needs modification: "The Kern County Groundwater Storage and Water Conveyance Infrastructure Improvement Program will receive Prop 13 funding to provide additional opportunities for Kern County facilities to develop water supplies for ecosystem restoration and provide water to the Environmental Water Account." Its primary purpose is to increase our ability to capture and transport high flow water supplies. The ecosystem and EWA benefits are only incidental to the project. Please change "will" to "may".

On page 11, the Kern River Parkway's 40-acre multi-purpose recharge lake and recreation area is a part of the Kern County Groundwater Storage and Water Conveyance Infrastructure Improvement Program. It should be referenced as such.

On page 12, the Kern County Groundwater Storage and Water Conveyance Infrastructure Improvement Program paragraph should be rewritten as follows. "Proposition 13 funding will be used to further implement activities and programs that will provide additional opportunities for the Kern County water community to enhance and develop facilities that will provide water supplies for local uses and potentially increase opportunities for ecosystem restoration and sales to the Environmental Water Account. In addition, a goal is to take advantage of all opportunities to increase the sales of water to the Environmental Water Account. The Kern County Water Agency is the grantee.